

Article - Estates and Trusts

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§15–112.

- (a) (1) A court shall remove a fiduciary who has:
 - (i) Willfully misrepresented material facts leading to his appointment or to other action by the court in reference to the fiduciary estate;
 - (ii) Willfully disregarded an order of court;
 - (iii) Shown himself incapable, with or without fault to properly perform the duties of his office; or
 - (iv) Breached his duty of good faith or loyalty in the management of property of the fiduciary estate.
- (2) A court may remove a fiduciary who has:
 - (i) Negligently failed to file a bond within the time required by rule or order of court;
 - (ii) Negligently failed to obey an order of court; or
 - (iii) Failed to perform any of his duties as fiduciary, or to competently administer the fiduciary estate.
- (b) Procedures for the removal of a fiduciary shall be conducted by the court in accordance with the provisions of the Maryland Rules applying to a fiduciary.
- (c) The provisions of this section shall not apply to personal representatives.

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